



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

Ms. Emma Best
MuckRock News
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411A Highland Avenue
Somerville, MA 02144
60156-11861782@requests.muckrock.com

Re: Appeal No. DOJ-AP-2019-001209
Request No. 1415598
SRO:EMY

VIA: Email

Dear Ms. Best:

You appealed from the action of the Federal Bureau of Investigation on your Freedom of Information Act request for access to records relating to or mentioning Columbia Broadcasting System (CBS) as well as records concerning CBS Corporation, CBS Broadcast Center, CBS Television City, CBS Studio Center, CBS Building and CBS Radio. I note that your appeal concerns the FBI's response dated November 7, 2018. Please note that this Office was closed due to a lapse in funding appropriations between December 22, 2018 and January 25, 2019, which resulted in a delay in responding to your appeal.

After carefully considering your appeal, I am affirming the FBI's action on your request. A proper FOIA request for records must reasonably describe the records sought. See 5 U.S.C. § 552(a)(3)(A); see also 28 C.F.R. 16.3(b)(2018). The FBI informed you that you did not reasonably describe the subject of your request. I have determined that the FBI's response was correct. This request was not reasonably described because the language of your request is broad and lacks specificity. CBS is a large entity with a number of different components and media affiliates, and you have not specified what type of records that you seek. For instance, if you are seeking records of media contacts between CBS and the FBI, virtually every field office could maintain records about such media contacts for any investigations for which there was media interest in the case. You may wish to make a new, more detailed request to the FBI.

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the action of the FBI in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

2/15/2019

X 

Sean R. O'Neill
Chief, Administrative Appeals Staff
Signed by: SEAN O'NEILL